

GIBSON DUNN

Gibson, Dunn & Crutcher LLP

200 Park Avenue
New York, NY 10166-0193
Tel 212.351.4000
www.gibsondunn.com

Reed Brodsky
Direct: +1 212.351.5334
Fax: +1 212.351.6235
RBrodsky@gibsondunn.com

May 5, 2017

BY ECF

The Honorable Kiyo A. Matsumoto
United States District Court Judge for the Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: United States v. Shkreli et al., S1 15 Cr. 637 (KAM)

Dear Judge Matsumoto:

We respectfully request the Court's permission not to attend the oral argument on Mr. Shkreli's motion to compel additional documents from Retrophin on May 12, 2017 at 10:00 a.m. As reflected in our April 26, 2017 letter to the Court, we are communicating with Retrophin's outside counsel regarding the documents we are seeking for Mr. Greebel's defense at trial and we will only seek court intervention if necessary. With respect to Mr. Shkreli's request for documents, our only request is that we receive copies of any and all documents that Retrophin has produced and/or will be ordered to produce to Mr. Shkreli. For example, Mr. Greebel would like access to the documents identified in the Court's May 4, 2017 Order (Dkt. No. 217) and the documents identified in footnote 1 of Retrophin's April 26, 2017 letter (Dkt. 210) over which Retrophin has waived privilege. Counsel for the government and Mr. Shkreli informed us that they take no position on our request.

We thank Your Honor for your attention to and consideration of our request.

Respectfully submitted,

/s/ Reed Brodsky

Reed Brodsky

cc: All counsel (via ECF)